

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

ILENE ROSALIA VALDEZ,

Plaintiff,

v.

SALT LAKE CITY POLICE DEPARTMENT,
BRANDON HOPKINS, and KRISTOPHER
JEPPSEN,

Defendants.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Case No. 2:13-cv-1135-RJS


Judge Robert J. Shelby

Pursuant to 28 U.S.C. § 636(b)(1)(B), this case was referred to Magistrate Judge Brooke C. Wells. On March 26, 2015, Judge Wells issued a Report and Recommendation on Defendants' motion to dismiss Ms. Valdez's case with prejudice pursuant to Federal Rules of Civil Procedure 37. (Dkt. 28.) Judge Wells recommended that the court grant the motion based on Ms. Valdez's failure to respond to Defendants' discovery requests and motions and failure to appear in court. Neither party submitted objections to Judge Wells' report within the allotted timeframe. In the absence of an objection, the court may apply a "clearly erroneous" standard. Under this standard, the court "will affirm the Magistrate Judge's ruling unless [the court] . . . is left with the definite and firm conviction that a mistake has been committed." *Thompson v. Astrue*, 2010 WL 1944779, at *1 (D. Utah May 11, 2010) (internal quotation marks and citations omitted). After reviewing the briefing, record, and relevant legal authorities, the court concludes that Judge Wells did not err. The court **ADOPTS IN FULL** Judge Wells's Report and

Recommendation. (Dkt. 28.) Accordingly, the court **GRANTS** the Defendants' motion and dismissed Ms. Valdez's claims. (Dkt. 26.) The court directs the Clerk of Court to close the case.

SO ORDERED this 14th day of April, 2015.

BY THE COURT:



ROBERT J. SHELBY
United States District Judge